

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Attorney Docket No. 087522785155
Coffield et al)	
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Application No.: 09/882,140)	
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Filed: June 15, 2001)	
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For: CHAIR BACK CONSTRUCTION)	
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Examiner: Harris, Stephanie N.)	
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Art Unit: 3636)	
)	
Confirmation No.: 9254)	

AMENDMENTS TO THE CLAIMS - AFTER FINAL

Claim 1 (Previously Amended) A back for a chair comprising:

a fabric panel: and

a carrier extending around the periphery of and fastened to edges of the fabric panel;

said carrier being directly attached along a bottom edge to a portion of a chair back frame and at two upper corners to another portion of said chair back frame.

Claim 2 (Previously Amended) The back of claim 1 wherein said two upper corners of said carrier are each configured with an aperture to respectively receive a portion of a ball formed on said other portion of said chair back frame.

Claim 3 (Original) The back of claim 1 wherein said fabric is of open mesh construction.

Claim 4 (Original) The back of claim 3 wherein said fabric includes woven monofilaments.

Claim 5 (Original) The back of claim 3 wherein said fabric includes woven multifilaments and monofilaments.

Claim 6 (Original) The back of claim 1 wherein said carrier is a two piece structure and edges of said fabric are clamped between said two pieces.

Claim 7 (Original) The back of claim 6 wherein glue is provided to retain said fabric edges in said carrier.

Claim 8 (Original) The back of claim 2 wherein at least one retainer is secured to said carrier to form a socket for retaining each of said balls.

Claim 9 (Previously Amended) The back of claim 1 wherein said chair back frame includes a transverse member and said carrier is attached along its bottom edge to said transverse member.

Claim 10 (Previously Amended) The back of claim 9 wherein said carrier is attached to said transverse member by screws.

Claim 11 (Previously Amended) A back for a chair comprising:

a fabric panel;

a bendable carrier extending around the periphery of and fastened to edges of the fabric panel, said carrier being configured to be fastened along a bottom edge to a first frame member of said chair; and

flexible joint means at opposed upper corners of said carrier;

said joint means being configured to be connectable to upper portions of second frame members;

wherein said flexible joint means and said bendable carrier allow said fabric panel to flex as a chair user reclines against said fabric panel to thereby distribute forces against the user's back.

Claim 12 (Original) The back of claim 11 wherein said flexible joint means are sockets configured to receive a spherical member of said second frame members.

Claim 13 (Original) The back of claim 12 wherein said sockets are formed by apertures in said carrier.

Claim 14 (Original) The back of claim 13 including retainers disposed on each side of said apertures to form said sockets.

Claim 15 (Original) The back of claim 11 wherein said fabric is of open mesh construction.

Claim 16 (Original) The back of claim 15 wherein said fabric includes woven multifilaments and monofilaments.

Claim 17 (Original) The back of claim 11 wherein said carrier is a two piece structure and edges of said fabric are clamped between said two pieces.

Claim 18 (Original) The back of claim 17 wherein glue is provided to retain said fabric edges in said carrier.

Claim 19 (Currently Amended and Previously Added) A back for a chair comprising:

a fabric panel; and

a flexible carrier extending around the periphery of and fastened to said edges of the fabric panel, said carrier having opposed upper corners; and wherein

said carrier is configured to be secured at said upper corners to two generally vertically extending supports of a chair back frame.

Claim 20 (Currently Amended and Previously Added) A back for a chair comprising:

a fabric panel; and

a flexible carrier extending around the periphery of and fastened to said edges of the fabric panel, said carrier having a bottom edge; and wherein

said carrier is configured to be directly attached along substantially the entire bottom edge to a chair back frame.

Claim 21 (New) A back for a chair comprising in combination:

a fabric mesh;

a carrier extending around a periphery of said fabric mesh and fastened thereto and having a bottom, a top and two side edges, said fabric mesh and said carrier being stretchable in a generally vertical direction;

a horizontally extending transverse chair frame member;

two vertically extending chair frame supports having diverging upper portions, said two vertically extending chair frame supports being fastened to said horizontally extending transverse chair frame member and each support terminating in a spherical end portion;

said bottom edge of said carrier being attached to said horizontally extending transverse chair frame member along substantially the entire length of said bottom edge; and

a first aperture formed through said carrier located at the intersection of one side edge and said top edge of said carrier and a second aperture formed through said carrier located at the intersection of the other side edge and said top edge of said carrier, wherein said carrier is stretched from attachment to said horizontally extending transverse chair frame member to engage each said spherical end portion of said two vertically extending and diverging chair frame supports by having each spherical end portion received in a respective aperture.

two upper corners to another frame member. It is noted that none of the four references, Brauning, Peterson, Gregory and Pile, disclose these limitations and therefore none are suitable references for anticipation under section 102. In addition, while none of these references teach or suggest that they be combined, it is noted that even if they were all combined, they would still not include all of the limitations of claim 1. None of the references disclose directly attaching a carrier to a frame. Therefore, it is believed that claim 1 is in allowable condition and claims 2-10 which are dependent from claim 1 will also be allowable if claim 1 is allowable.

Independent claim 19 includes the limitations of a flexible carrier extending around the fabric panel with the carrier having opposed upper corners which are configured to be secured to vertically extending supports of a chair frame. The Brauning reference discloses a back element attached to frame members at the upper corners of the back element. However, Brauning does not teach a fabric panel or a flexible carrier extending around the periphery of the fabric panel. None of the other references, Peterson, Gregory and Pile, disclose a flexible carrier. Further, there is no teaching or suggestion in any of the references that they be combined and even if combined, they would still not disclose all of the limitations of claim 19.

Independent claim 20 includes the limitations of a fabric panel, a flexible carrier extending around the fabric panel where the carrier is directly attached to a chair frame along the substantially the entire bottom edge of the carrier. None of the four references, Brauning, Peterson, Gregory and Pile, disclose these limitations individually nor together, even if combined.

New claim 21 is presented and includes even more limitations than those discussed above. Claim 21 includes a fabric mesh, a carrier extending around the fabric mesh where the fabric and carrier are stretchable in a vertical direction, a chair frame having a horizontally